

No. PD-0038-21 & PD-0039-21

FILED
COURT OF CRIMINAL APPEALS
6/23/2021
DEANA WILLIAMSON, CLERK

In the Court of Criminal Appeals of Texas

JOHNNY JOE AVALOS,
Appellant
v.
THE STATE OF TEXAS,
Appellee

State's Motion for Leave to File a Reply Brief

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TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:

Joe D. Gonzales, Bexar County Criminal District Attorney, and undersigned counsel for the State of Texas respectfully request leave to file a reply brief pursuant to Texas Rules of Appellate Procedure 70.4 and 38.3. The State's reply brief is timely pursuant to Texas Rule of Appellate Procedure 38.6(c).

To expedite the Court's consideration, the reply brief has been filed contemporaneously with this motion.

PRAYER FOR RELIEF

The State of Texas prays that the Court of Criminal Appeals grant it leave to file its reply brief.

Respectfully submitted,

Joe D. Gonzales
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Bexar County, Texas

/s/ Andrew N. Warthen
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CERTIFICATE OF COMPLIANCE AND SERVICE

I, Andrew N. Warthen, Assistant Criminal District Attorney, Bexar County, Texas, hereby certify that a true copy of this motion was emailed to appellant Johnny Joe Avalos's attorney, Jorge G. Aristotelidis, at jgaristo67@gmail.com, and to Stacey Soule, State Prosecuting Attorney, at information@spa.texas.gov, on this the 23rd day of June, 2021.

/s/ Andrew N. Warthen

Andrew N. Warthen
Assistant Criminal District Attorney

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